

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA)	
and THE STATE OF TEXAS <i>ex rel</i> ,)	
MICHAEL A. REHFELDT,)	
)	
Plaintiffs,)	
)	
v.)	Case No: 3-09-CV-0203-B
)	
VITAS HEALTHCARE)	
CORPORATION, et al.)	
)	
Defendants.)	

RELATOR MICHAEL A. REHFELDT'S
RESPONSE TO SHOW CAUSE ORDER

Relator Michael A. Rehfeldt hereby responds to Court's April 24, 2012 Order to show cause why Relator has not served Defendants Care Level Management, LLC and Justo Cisneros, as follows:

1. On April 24, 2012, Relators filed a notice of *pro tanto* dismissal without prejudice of Care Level Management, LLC. On April 25, 2012, the United States filed its concurrence in that dismissal. On the same date, the Court dismissed Care Level Management, LLC without prejudice.

2. Counsel for Relator has twice spoken with counsel for Dr. Cisneros, Mr. John Helms, most recently on April 30, 2012, requesting that Dr. Cisneros waive service of process. It is Relator's understanding that Mr. Helms is

attempting to contact Dr. Cisneros to request authority to effect that waiver on his behalf.

3. Relator submits that, should Dr. Cisneros agree to waive service, the expense of perfecting service will be avoided and, given the status of the case and the extension of other defendants' time to answer, no party will be prejudiced.

4. Should Dr. Cisneros decline to waive service of process, Relator will immediately undertake to perfect service by process server.

Dated this 4th day of May, 2012.

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CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2012, a true and correct copy of the foregoing was filed with the Clerk of Court using the electronic CM/ECF system, which will serve the following counsel of record:

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